

**PLANNING AND ZONING COMMISSION
MINUTES
PUBLIC HEARING/GENERAL MEETING
FEBRUARY 11, 2014**

Place: Auditorium, Town Hall

TIME: 8:00 P.M.

PLANNING & ZONING COMMISSION MEMBERS ATTENDING:
Cameron, Cunningham, DiDonna, Olvany, Voigt

STAFF ATTENDING: Keating, Ginsberg (arrived at 8:30 p.m.)

RECORDER: Fazekas

Chairman Cameron opened the meeting at 8 P.M. and read the following agenda item:

PUBLIC HEARING

Continuation of Public Hearing regarding Subdivision Application #613, Estate of Mary Metzger/Oak Crest Developers LLC, 174 Middlesex Road. Proposing to subdivide the existing property into two lots. The subject property is located at the southeast corner formed by the intersection of Middlesex Road and Hollow Tree Ridge Road, and is shown on Assessor's Map #22 as Lot #81 in the R-1/2 Zone.

Mr. Voigt said that he had not been able to attend the previous public hearing regarding this matter but he has watched the video of the proceedings.

Attorney Robert Maslan represented the applicant and said that during the previous public hearing two of the issues that were discussed included the driveway locations and the driveways distances from the street intersection and their relation to the driveways across the street. He submitted a email from Darren Oustafine of the Darien Public Works Department regarding the driveway standards that are used by the Public Works Department to issue Street Opening Permits to allow new driveways to be created. He also submitted a map that illustrates the dimensions from the stop sign on Middlesex Road to the proposed new driveways. From the westbound stop bar on Middlesex Road, it will be 68 feet to the proposed new driveway. He said that the crosswalks at the four-way intersection are also shown on the revised site plan.

Attorney Maslan said that he had received an e-mail from Director of Planning Jeremy Ginsberg with other questions. In response to that, he said there are two large trees to be saved on the proposed corner lot. These trees can be saved because they are near the proposed property line. The developer will also be preserving much of the existing stonewall that is located adjacent to Middlesex Road. He said that the owner/builder is receptive to preserving the stone wall and supplementing it. He said that the owner is also willing to have the existing old house documented with photographs before it is removed. Ms. Cameron said that the style and character of the stone wall should be preserved and any new stonewall should be in a matching style, which is a loose field stone wall rather than a formal or rigid stone wall.

Mr. Voigt said that the very busy intersection adjacent to the property is a big concern. The proposed new driveways need to allow residents to safely access the street. He said that instead of the applicant constructing a new sidewalk along the entire south portion of Middlesex Road that is

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adjacent to this property, he wondered whether the applicant would be willing to improve the sidewalk on the other side of Middlesex Road or along Hollow Tree Ridge Road. Attorney Maslan said that he would check with his client regarding that matter.

Mary Connell Lifton of 180 Middlesex Road submitted a letter expressing her concerns about the frontage. She said that safety is a great concern and she and the neighbors would appreciate an opportunity to talk with the developer so that during the construction process everyone in the neighborhood would be safe. Some of the concerns include the securing of the construction site; demolition debris and air quality; the stone wall style; preservation of trees; installation of attractive fencing and landscaping; and the architectural style and scale of the proposed new houses.

Sarah Paibie said that she is concerned about the safety of the construction area, especially with all the children in the area. She said that this property is immediately adjacent to Middlesex Middle School and that children will pass this site every day for school and all the time for soccer games. She suggested the possibility of signalizing the intersection of Hollow Tree Ridge Road and Middlesex Road.

Mr. Cunningham asked if it was possible to obtain a list of accidents that have occurred in the area. Mr. Voigt wondered how this information would be analyzed. Mr. Cunningham said that with the accident information, the police could opine about how best to make sure that the subdivision does not make the safety any worse and whether or not the driveway locations are safe enough.

Attorney Maslan said that this proposed subdivision involves single family houses only. Traffic studies in the past have indicated that a typical single family house would generate approximately 10 vehicle trips per day. He said that the traffic along the road is already there today and is already considerable. Adding 20 more trips per day (one replacement house and two new houses) will not make the situation any worse. He said that if there are accidents there now, they are not caused by this project.

John Martucci, Professional Engineer, said that he has been practicing civil engineering for many years and much of that time has been involved in street and highway designs. He said that the traffic accident information that the Commission sees will most likely indicate that the traffic accidents occur at or near the intersection and are mostly rear end collisions. He said that this four-way intersection is not likely to qualify as one that would be appropriate to signalize because the cost of such installation would not justify the supposed increase in safety. He said that many drivers in the area already exceed the speed limit, but the stop signs impact how quickly they approach this particular area.

Mr. Olvany said that it is important to keep the dry field stonewall character intact.

The Commission decided that in order to obtain the additional traffic information data and more information regarding stone walls, it would be appropriate to continue the Public Hearing regarding this matter at 8 P.M. on February 25, 2014 in Room 206 of the Darien Town Hall.

At 8:30 P.M., Jeremy Ginsberg arrived at the meeting and Chairman Cameron read the following agenda item:

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Land Filling & Regrading Application #53-D/Amendment of Site Plan, Darien Athletic Foundation, Darien High School, 80 High School Lane. Proposing to convert three existing natural turf fields on the High School campus to artificial turf fields, and convert one natural turf practice field to a softball stadium, all over a three year time period, and perform related site development activities. The subject property is located on the north side of High School Lane, approximately 1,100 feet west of its intersection with Middlesex Road, and is shown on Assessor's Map #9 as Lot #80 & #81 in the R-2 Zone.

Peter Graham of Chester Road said that he is the President of the Darien Athletic Foundation (DAF). They are the applicant for this project. He said that this private foundation supports high school and youth athletics in Darien and that the Darien has one of the youngest populations in the state of Connecticut. He said that they have already installed the scoreboard at the high school field and have obtained approvals to build a pavilion at the entrance to the stadium field. The next project is the installation of new turf fields at the high school. Possibly, in the future, turf field could be installed at the middle school. He said that this application is not about the installation of temporary or permanent lights at any of the fields.

Joseph Canas of Tighe & Bond explained that he is a Professional Engineer and a Certified Floodplain Manager. He displayed an aerial photograph of the site that shows the stadium field and other fields on the high school property that are already artificial turf. The proposal is to convert three of the existing practice and play fields into synthetic turf. Those fields to receive synthetic turf at this time are; northeast of the stadium; the practice field and softball field on the northwest portion of the site; and one of the fields of the center oval on the south side of the school building. That field will receive new synthetic turf and will be lengthened so that it will allow additional lacrosse play. Samples of the synthetic turf material were distributed.

Mr. Canas said that after installation of the new synthetic fields, there would be approximately 12 acres of fields at the high school that will be artificial turf. At present, there are 6.7 acres that have artificial turf and approximately five acres of new synthetic turf will be added. Mr. Canas said that synthetic turf is not impervious. Water does seep through the turf, which is like a carpet with a plastic backer. A rubber infilling material is spread within the blades of artificial grass to absorb shock, then there are two inches of special material underneath the carpet material. Beneath that is approximately eight inches of drainage stone that are installed so that water can seep down through the synthetic turf and down to the ground below. The drainage stone has approximately 80% void space so an area beneath the surface will hold a considerable amount of water. He said that minimum depth of drainage stone will be eight inches. In other areas, the depth of the drainage stone would be greater.

Mr. Canas explained that water quality measures will be installed or enhanced on site so that the stormwater that goes through the pervious layers is collected in the drainage system beneath the synthetic turf fields and will be somewhat cleanse before it is discharged into the adjacent water courses. No new water quality facilities will be added but the existing water management system on site will remain. Mr. Canas said that the northwest field and upper oval field will depend on infiltration into the soil in that area. The stadium east field will result in the enlargement of the stormwater detention pond that is now on the eastern side of the property and southeast of the stadium field. A new sediment fore-bay will be provided for that detention basin.

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Mr. DiDonna said that in some of the research that he has done, he has discovered that one potential impact of synthetic turf fields is that they give off a high level of zinc and some VOCs. Mr. Canas said that he will provide additional detailed information on the effectiveness of the infiltration of water into the ground and how best to deal with the zinc issue. He said that the zinc may be a result of the use of the rubber shock absorbent material. In response to questions, he said they have not yet selected which brand of material they will use for the installation of the artificial turf.

Returning to the detention basin on the eastern portion of the property, Mr. Canas said that the basin was constructed in the early 1980s. Ms. Cameron said that she was on the Environmental Protection Commission during that construction of the new high school and is very familiar with the site and the storm drainage facilities. She questioned the use of the sediment basin from the northwest portion of this site. Mr. Canas said that the depressed area to the north of the northwest field is actually a left over sediment basin. It will be re-used during the construction process to catch any sediment that could result. He said that there is a large tree in that basin that needs to be removed because it is obstructing the outflow of the drainage pipe. Ms. Cameron stated that the sediment basin did a very poor job during the high school construction.

Mr. DiDonna expressed his concern for the proposal that will result in more than 12 acres of synthetic turf with no water quality treatment of the zinc. He said he would provide a copy of the DEEP report that he was referring to. Mr. Olvany questioned how surface drainage would be impacted by the installation of additional artificial turf. Mr. Canas said that the analysis indicated that there will be no increase in the peak rate of discharge of stormwater. There will also be no impact from the larger water shed prospective and no problem will result in changing from natural turf to artificial turf. He said that calculations show that there will be a slight increase in the concentrated water discharge at the outlet of the southeast basin, but overall there is no increase in peak discharge. Mr. DiDonna said that he would recommend that the lead free turf material be selected. He also referred to the need for cleaning and disinfection of the artificial turf.

Tom Seiler read aloud a statement from Mike Lynch, who could not be in attendance. Mr. Lynch indicated that the artificial turf field is cleaned twice per year by an outside contractor that utilizes special equipment designed for this purpose.

Chris Manfredonia, Athletic Director of the high school, said that snow removal from the artificial turf field is handled by a vendor who maintains the fields. He said that their experience is that snow melts away from artificial turf fields more quickly than it does on from a natural grass field. In response to questions from Mr. DiDonna, he said he will check on the aspects of disinfection, including how staph infection is managed.

Tom Seiler said that various infill or shock absorbent materials are available. They want one that is ecofriendly but also avoids problems in future years. He said that the rain water naturally washes the field clean all year long. In response to a question, Mr. Canas indicated that the stormwater calculations are based on the University of Connecticut precipitation data which is more intense than the minimum standards utilized by the Town for these calculations.

Mr. Canas said that the maps show the larger flood plain area, which was the result of the 2009 detailed study by Milone and McBroom, rather than the flood plain shown on the maps issued by the Federal Emergency Management Agency. He noted that to the east of the stadium field, the fill

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is designed to be outside of the more extensive flood plain utilizing the Milone and McBroom information. He said as a result of incorporating that 2009 study, they have reduced the maximum depth of fill in that area from four feet down to two feet. Mr. Canas said that 8,746 cubic yards of crushed stone material needs to be brought in to the high school site to accommodate the new synthetic fields. Since more than five acres of disturbance is involved, they will need to obtain approval from the Connecticut Department of Energy and Environmental Protection (CT DEEP). He said that part of the phasing and erosion control plan is to disturb just one field at a time and complete that field before the next field is disturbed. Environmental monitoring reports must be prepared and submitted on a weekly basis and turbidity sampling will need to be conducted. This is a visual measure of the soil pollution that might be caused to water courses.

Mr. Canas said that the underdrains to be installed at the northwest field will collect water from the field and direct it north and east into the existing Vortechincs turbidity control units. The water leaving the Vortechinc units will then go into the sediment basin and then travel north then east and around the high school site. He said that the Vortechinc units need to be inspected anyway and cleaned as needed. He will check the records to see how often those units are inspected and cleaned in the past years.

Ms. Cameron questioned whether this design would actually remove water that naturally travels from the existing field and moves westerly into the wetland and water course in that area. She thought that it might be more appropriate to allow the water to flow into the wetlands rather than to divert it away from those areas.

Mr. Canas said that the first flush of rain water will absorb much of the heat from the surface of the artificial turf. That rain water soaks down into the area beneath the artificial turf. Additional rain water landing on the field will then enter the drainage system and eventually flow toward the wetland. This will control the potential impacts of thermal pollution and minimize the amount of hot water that enters the wetland in a rain storm. Ms. Cameron said she would like to see such details specifying the sediment control plan. Mr. Canas said that for water quality purposes it is assumed that there will be no infiltration of stormwater into the ground, although there will be some infiltration that occurs. He said the storage reservoir is created underneath the field by using small diameter outlet pipes, such as six inch or eight inch diameter pipes. Mr. DiDonna said that there is artificial turf which is available on the market which has reduced thermal pollution, and requested that construction details be provided, and part of those details should specify materials to be used. Mr. Canas said they are working on getting those details for the Commission.

Ms. Cameron said that the application is still pending with the Environmental Protection Commission (EPC) and that the applicant will need to come back to the Planning & Zoning Commission after the EPC has made a decision regarding their application. She said that she has seen the existing artificial turf fields in heavy rain conditions and noted that the water being outlet from there is metered out very slowly rather than a gush of rainwater coming from the field at once. Mr. Canas said they are still analyzing their options regarding materials and brands of materials to be used. Mr. Canas said that near the junior varsity softball field and the lower level of the oval (the east end of the oval) a new pathway will be installed and a retaining wall will be installed. That is the area where the practice batting cage was located. He still needs to provide more details of that area. With respect to the upper oval fields, the existing drainage system carries water in a northerly direction and then easterly toward High School Lane. That drainage pattern will remain

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in effect. The drainage from the new softball field in the oval, partly drains northeast and then east. It too will remain as is.

Craig Flaherty, Professional Engineer for Redniss & Mead Associates, said that he has 19 years of experience with projects similar to this. He has been hired by the Town to review the submitted application materials. His firm provided written comments on the plan in January and February and those comments are being addressed. He said that Section 880 of the Zoning Regulations concerns stormwater drainage in general and Section 820 concerns Flood Damage Prevention. He said that in this case, special attention is being paid to flooding conditions along Stony Brook and water quality protection during construction and permitting by the local and state authorities. Mr. Flaherty said that the zinc level to be discharged from the fields is still below the standards for water being discharged into a drinking water area. He said that soil has a tremendous capacity to absorb zinc thus the runoff from a regular field would have very little zinc. The runoff from an artificial turf will have a very slight amount of zinc but it is not something to be concerned about. He said that it is important that the applicant provide soil quality test data during the design and construction process. He said that thawing and melting snow is easier on artificial turf field rather than a soil field. He said that in this case, the potential impacts from the pollution have been more controlled. He said that many details have already been added to the plan and a few more details are still needed.

Lynn Vaught of Holly Lane said that she is concerned about any trees that might need to be removed in order to lengthen the existing field within the oval. She is also concerned about nets that might surround the fields and the storage of equipment supplies and the netting material. She suggested that a detailed construction schedule is appropriate to address some of the concerns of the neighbors. She said that she and the neighbors are also very concerned about the possible lighting of the fields in the future.

Paul Michalski of 371 Middlesex Road noted that Mr. Sini is absent tonight due to his travel schedule but Mr. Michalski said that he would object to Mr. Sini participating in any discussions or decision regarding this issue due to his long involvement with the Darien Junior Football League (DJFL) and the formation of the Darien Athletic Foundation. He claimed that Mr. Sini has a conflict of interest in a matter of this type, and referred to a December 14, 2012 article in the Darien Times. He also referred to a legal decision entitled, "Barry vs. Historic District Commission of Litchfield" from July 2008.

Mr. Michalski said that applicant claims that there will be no intensification of the uses of the field as a result of the installation of artificial turf. He said if that is the case, it should be a condition of any approval that there be no intensification of the uses of the fields because any more use of the field results in more vehicular traffic with people going to and from the fields and more disturbance of the neighbors. He said the installation of artificial fields is likely to result in more intensification of the uses of the fields. He said that he is concerned about trees that will need to come down on the east side of the property because some of them might have been planted for screening for the benefit of the neighbors. He said that on the east side of the site, much of the area was originally wetlands, then it became grass wetlands, then it became grass playfields and now it is to become plasticized athletic fields. He said that the impact to the wildlife and wetlands has already occurred, and that it will continue to be made worse. Mr. Michalski suggested that the Commission require a master plan of the property, and that the turfing of the middle school fields be analyzed along with

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this proposal. Mr. Michalski also questioned the use of fireworks on the artificial turf field. Ms. Cameron said that she checked and the Fire Marshal does not have any reservations in that respect.

Ms. Cameron said that she did not think it would be appropriate for the Planning & Zoning Commission to continue the public hearing until after the Environmental Protection Commission (EPC) has reached a conclusion regarding stormwater management and water quality issues and erosion controls during the construction process. It was suggested that the public hearing could be continued to March 25, 2014 in order to give the EPC time to process the application submitted to them. Peter Graham represented the applicant and granted the requested extension of time for the Planning & Zoning Commission public hearing to be continued on March 25, 2014. Mr. Ginsberg said that meeting will be held at 8 P.M. in Room 206 of the Darien Town Hall. Commission members agreed that it is appropriate to continue the public hearing on March 25, 2014.

At about 10:25 p.m., Chairman Cameron opened the general meeting and read the following agenda item:

GENERAL MEETING

Approval of Minutes

January 28, 2014 Public Hearing/General Meeting

Minor corrections and clarifications were discussed and agreed upon. The following motion was made: That the Planning & Zoning Commission adopt the revised and corrected minutes. The motion was made by Mr. DiDonna, seconded by Mr. Olvany and unanimously approved.

February 4, 2014 General Meeting

Commission members discussed and agreed upon minor corrections and clarification. The following motion was made: That the Planning & Zoning Commission adopt the correct minutes. The motion was made by Mr. Voigt, seconded by Mr. DiDonna and unanimously approved.

There being no further business, the following motion was made: That the Planning & Zoning Commission adjourn the meeting. The motion was made by Mr. Voigt, seconded by Mr. DiDonna, and unanimously approved. The meeting was adjourned at 10:30 P.M.

Respectfully submitted,

David J. Keating
Assistant Planning & Zoning Director